

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 41

January 24, 1995, 5:57 p.m.
Page S-1425 Temp. Record

UNFUNDED MANDATES/Balanced Budget Plan

SUBJECT: Unfunded Mandate Reform Act of 1995 . . . S. 1. Domenici motion to table the Hollings amendment No. 182.

ACTION: MOTION TO TABLE AGREED TO, 55-41

SYNOPSIS: Pertinent votes on this legislation include Nos. 15-40, 43-45, and 47-61.

As reported by the Governmental Affairs Committee and the Budget Committee, S. 1, the Unfunded Mandate Reform Act of 1995, will create 2 majority (51-vote) points of order in the Senate. The first will lie against the consideration of a bill or joint resolution reported by an authorizing committee if it contains mandates and if Congressional Budget Office (CBO) cost estimates on those mandates are unavailable. The second point of order will lie against the consideration of a bill, joint resolution, motion, amendment, or conference report that will cause the total cost of unfunded intergovernmental mandates in the legislation to exceed \$50 million.

The Hollings amendment would express the sense of the Senate that, prior to adopting a joint resolution proposing an amendment to the Constitution requiring a balanced budget, Congress should set forth specific outlay and revenue changes to achieve a balanced Federal budget by the year 2002 and should enforce through the congressional budget process the requirement to achieve a balanced Federal budget by the year 2002.

Debate was limited by unanimous consent. Following debate, Senator Domenici moved to table the Hollings amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

Those favoring the motion to table contended:

The Hollings amendment would require the patient to get better before he was given any medicine. The problem is that Congress has found it to be impossible to behave in a fiscally responsible manner. The solution proposed by the balanced budget amendment is to force Congress to be responsible. The demand of the Hollings amendment is that Congress be responsible before a balanced budget amendment is passed. The Hollings amendment would thus demand the impossible before allowing the necessary. This

(See other side)

YEAS (55)			NAYS (41)			NOT VOTING (4)	
Republicans (51 or 100%)	Democrats (4 or 9%)		Republicans (0 or 0%)	Democrats (41 or 91%)		Republicans (2)	Democrats (2)
Abraham	Hutchison	Kohl		Akaka	Graham	Coats- ^{2AY}	Heflin- ²
Ashcroft	Inhofe	Moseley-Braun		Baucus	Harkin	Simpson- ^{4AY}	Kennedy- ^{4AN}
Bennett	Jeffords	Simon		Biden	Hollings		
Bond	Kassebaum	Wellstone		Bingaman	Inouye		
Brown	Kempthorne			Boxer	Johnston		
Burns	Kyl			Bradley	Kerrey		
Chafee	Lott			Breaux	Kerry		
Cochran	Lugar			Bryan	Lautenberg		
Cohen	Mack			Bumpers	Leahy		
Coverdell	McCain			Byrd	Levin		
Craig	McConnell			Campbell	Lieberman		
D'Amato	Murkowski			Conrad	Mikulski		
DeWine	Nickles			Daschle	Moynihan		
Dole	Packwood			Dodd	Murray		
Domenici	Pressler			Dorgan	Nunn		
Faircloth	Roth			Exon	Pell		
Frist	Santorum			Feingold	Pryor		
Gorton	Shelby			Feinstein	Reid		
Gramm	Smith			Ford	Robb		
Grams	Snowe			Glenn	Rockefeller		
Grassley	Specter				Sarbanes		
Gregg	Stevens						
Hatch	Thomas						
Hatfield	Thompson						
Helms	Thurmond						
	Warner						

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

demand, with all due respect, is nonsensical.

Proponents of this amendment have used a Super Bowl analogy, saying that both teams, the Democrats and the Republicans, simply need to take the field and make spending cuts and tax increases. It is a fine sentiment, except that the reality is that many Senators have refused to take the field, and the Hollings amendment would be used by them to continue to stay out of the game. The amendment would not require anyone to make a single hard choice; instead, it would create dozens of new excuses to be irresponsible. The Hollings amendment would require Republicans to determine exactly how they intend to balance the budget before passing the balanced budget amendment. We imagine that Democrats would love to have the Republicans game plan before they have even agreed to take the field. Some Senators may counter that it would not be a requirement on Republicans, because it would be a plan that is passed by Congress, but with Republican majorities in both Houses and with most opposition to a balanced budget amendment coming from Democrats those protests ring hollow. Once Democrats had the game plan, they would use individual parts in it to stir up opposition to a balanced budget amendment. They would use that game plan to do everything in their power not to take the field. The problem, as we see it, is that a large number of Democrats, and a few Republicans, are still sitting in the stands refusing to play the game. Proponents of a balanced budget amendment are not on the sidelines hollering for a balanced-budget touchdown; they are trying to force their colleagues on to the balanced-budget field. The scope of the problem is enormous, so the game will likely be brutal, but it is a game that must be played. We must establish that principle first by passing the balanced budget amendment. If not, the sheer brutality of the game will cause faint-hearted Members to sit on the sidelines from the outset or to quit before the game is over.

The Hollings amendment would give Members an excuse to oppose balancing the budget. They could say that they favored a balanced budget, but not at the price of some of the proposed spending cuts. They could say, nebulously, that they had "better" or "fairer" ideas, though they would not have to offer specifics. In short, they could continue with the same sort of irresponsible political gamesmanship that has caused the fiscal chaos we are in and that has made a balanced budget amendment necessary. This amendment, therefore, should be resoundingly rejected.

Those opposing the motion to table contended:

The biggest unfunded Federal mandate of them all is the entire Federal budget. The Federal Government's addiction to spending money, including to spending money it does not have, has greatly increased the costs of borrowing for State and local governments, plus it has dampened the economy and thus the tax base for these governments. At the same time, the need for government is greater than ever. We have 40 million Americans in poverty; 10 million are homeless; 12 million children are hungry; the cities are a cesspool of crime and violence; the land is drug infested; the schools have turned into shooting galleries; 73 percent of Americans between the age of 17 and 24 cannot find a job out of poverty. Some of our colleagues have surveyed this situation, and have concluded that the solution is to put a balanced budget requirement into the Constitution. Their logic is that Federal spending must be cut to forestall bankruptcy, and that Congress will not dare cut programs that are more needed now than ever, so therefore Congress must have a requirement to cut that it cannot evade.

Our conclusion is a bit different. Spending cuts alone cannot do it. The math simply does not add up. We agree that defense has already been cut too much, and it should be frozen at its current level. We also agree that Social Security should not be touched. Also, interest on the debt is a portion of our budget that we obviously must pay. Once these items are taken off the table, we are left with a minor portion of the Federal budget. If the rest of entitlements are taken off the table, eliminating the entire discretionary budget would still not be enough to solve the problem. Going after "welfare cheats," taking milk money from school children, firing deadwood bureaucrats, and similar efforts will not balance the budget. We are going to need tax increases, and we are going to need some changes to entitlements.

Passing the balanced budget amendment while misleading the American people into thinking that it will be some sort of easy, walk-in-the-park exercise is not going to lead us to a balanced budget. The only way that we are going to beat this problem is if we get a little bipartisan cooperation to look at this problem honestly and develop a blueprint for saving America from insolvency. With such a plan in place, passing a balanced budget amendment would make sense. The American people would understand what they were being asked to ratify, and we would get the mandate we need to make the hard choices. Perhaps most importantly, we would pass a plan that we know that we could achieve. The worst possible result that could come from passing a balanced budget amendment to the Constitution would be to find that we could not live up to it—we could find that we do not have the courage to fulfill our constitutional responsibility.

Some Senators behave as though they are not even part of this government. They are like spectators at the Super Bowl, hollering "We want a touchdown!" No touchdown will be scored until they get out of the bleachers and join us on the field. They were elected to score the touchdown, not to cheer for a balanced budget amendment. We urge them to join us in making the hard choices by voting against the motion to table the Hollings amendment.